

BEFORE THE HUMAN RIGHTS COMMISSION  
OF THE STATE OF MONTANA

PAUL TRYON,  
Charging Party,

-v-

LAKE COUNTY, BILL BARRON,  
ANNE BROWER, LARRY EHLE,  
AND PADDY TRUSLER,  
Respondents.

Case # 0121015246, 0121015247,  
0121015248, 0121015249,  
and 0121015250

ORDER  
FINAL AGENCY DECISION

Charging Party, Paul Tryon, (Tryon), filed a complaint with the Department of Labor and Industry (Department) alleging discrimination in employment on the basis of physical disability and retaliation. Following an informal investigation, the Department determined that a preponderance of the evidence did not support Tryon's allegations that Respondents, Lake County, Bill Barron, Anne Brower, Larry Ehle, and Paddy Trusler discriminated against Tryon. The Department issued a Notice of Dismissal. Tryon filed an objection with the Montana Human Rights Commission (Commission). The Commission considered the matter on July 18, 2012. Paul Tryon appeared *pro se*. Maureen Lennon, appeared and argued on behalf of Lake County and other named Respondents.

The Commission reviews a decision of the Department to dismiss a complaint using an abuse of discretion standard. *Section 49-2-511(2), MCA*. After careful consideration, the Commission concludes the determination of the Department to dismiss the complaint in this case is not an abuse of discretion.

If a charging party chooses to commence a civil action in district court, the charging party has 90 days after the date this order is issued to file a complaint in district court, in the district where the alleged violation occurred, and seek appropriate relief. *Section 49-2-511(3)(a), MCA*. If a charging party fails to commence a civil action within 90 days, the claims are time barred. *Id.*

Alternatively, a party may ask a district court to review the decision of the Commission to affirm the dismissal of a complaint. *Sections 2-4-702 and 49-2-511(3)(b), MCA*. This review must be requested within 30 days of the date of this order.

IT IS HEREBY ORDERED, that Tryon's objection is **overruled**. The Commission affirms the determination of the Human Rights Bureau to dismiss the complaint against Lake County, Bill Barron, Anne Brower, Larry Ehle, and Paddy Trusler.

DATED this 20<sup>th</sup> day of July 2012.

\_\_\_\_\_/l.m.minich/\_\_\_\_\_  
L.M. Minich, Chair  
Human Rights Commission

# CERTIFICATE OF SERVICE

The undersigned secretary for the Human Rights Commission certifies that a true and correct copy of the foregoing ORDER was mailed to the following by U.S. Mail, postage prepaid, on this 20<sup>th</sup> day of July 2012.

PAUL TRYON  
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ST. IGNATIUS, MT 59865

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MACO  
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\_\_\_\_\_/annahsmith/\_\_\_\_\_  
Annah Smith, Legal Secretary  
Montana Human Rights Bureau